

107TH CONGRESS  
1ST SESSION

# S. 700

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## AN ACT

To establish a Federal interagency task force for the purpose of coordinating actions to prevent the outbreak of bovine spongiform encephalopathy (commonly known as “mad cow disease”) and foot-and-mouth disease in the United States.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Animal Disease Risk  
5       Assessment, Prevention, and Control Act of 2001”.

1 **SEC. 2. FINDINGS AND PURPOSE.**

2 (a) FINDINGS.—Congress finds that—

3 (1) it is in the interest of the United States to  
4 maintain healthy livestock herds;

5 (2) managing the risks of foot and mouth dis-  
6 ease, bovine spongiform encephalopathy, and related  
7 diseases in the United States may require billions of  
8 dollars for remedial activities by consumers, pro-  
9 ducers, and distributors of livestock, and animal,  
10 and blood products;

11 (3) the potential introduction of those diseases  
12 into the United States would cause devastating fi-  
13 nancial losses to—

14 (A) the agriculture industry and other eco-  
15 nomic sectors; and

16 (B) United States trade in the affected  
17 animals and animal products;

18 (4) foot and mouth disease is a severe and  
19 highly contagious viral infection affecting cattle,  
20 deer, goats, sheep, swine, and other animals;

21 (5) the most effective means of eradicating foot  
22 and mouth disease is by the slaughter of affected  
23 animals;

24 (6) while foot and mouth disease was eradicated  
25 in the United States in 1929, the virus could be re-  
26 introduced by—

1 (A) a single infected animal, an animal  
2 product, or a person carrying the virus;

3 (B) an act of terrorism; or

4 (C) other means;

5 (7) once introduced, foot and mouth disease can  
6 spread quickly through—

7 (A) exposure to aerosols from infected ani-  
8 mals;

9 (B) direct contact with infected animals;  
10 and

11 (C) contact with contaminated feed, equip-  
12 ment, or humans harboring the virus or car-  
13 rying the virus on their clothing;

14 (8) foot and mouth disease is endemic to more  
15 than  $\frac{2}{3}$  of the world and is considered to be wide-  
16 spread in parts of Africa, Asia, Europe, and South  
17 America;

18 (9) foot and mouth disease occurs in over 7 dif-  
19 ferent serotypes and 60 subtypes;

20 (10) as foot and mouth disease outbreaks have  
21 occurred, the United States has banned the importa-  
22 tion of live ruminants and swine and many animal  
23 products from countries affected by foot and mouth  
24 disease;

1           (11) recently, the United States has imple-  
2           mented bans in response to outbreaks in Argentina,  
3           the European Union, and Taiwan;

4           (12) although United States exclusion programs  
5           have been successful at keeping foot and mouth dis-  
6           ease out of the United States since 1929, recent out-  
7           breaks in Argentina, the European Union, and Tai-  
8           wan are placing an unprecedented strain on our ani-  
9           mal health system;

10          (13) bovine spongiform encephalopathy is a  
11          transmissible, neuro-degenerative disease found in  
12          cattle;

13          (14) in cattle with bovine spongiform  
14          encephalopathy, the active agent is found primarily  
15          in the brain and spinal cord and has not been found  
16          in commonly consumed beef products;

17          (15) bovine spongiform encephalopathy is  
18          thought to have an incubation period of several  
19          years but is ultimately fatal to cattle within weeks  
20          of onset of the active disease;

21          (16) bovine spongiform encephalopathy was  
22          first widely found in 1986 in cattle in the United  
23          Kingdom;

24          (17) bovine spongiform encephalopathy-carrying  
25          cattle have been found in cattle in Belgium, Den-

1 mark, France, Germany, Ireland, Italy, Liech-  
2 tenstein, Luxembourg, the Netherlands, Portugal,  
3 Spain, and Switzerland;

4 (18) cattle infected with bovine spongiform  
5 encephalopathy originating from the United King-  
6 dom have been found and intercepted in Canada;

7 (19) since 1989, the Secretary of Agriculture  
8 has prohibited the importation of live grazing ani-  
9 mals from countries where bovine spongiform  
10 encephalopathy has been found in cattle;

11 (20) other products derived from grazing ani-  
12 mals, such as blood meal, bonemeal, fat, fetal bovine  
13 serum, glands, meat-and-bone meal, and offal, are  
14 prohibited from entry, except under special condi-  
15 tions or under permits issued by the Secretary of  
16 Agriculture for scientific or research purposes;

17 (21) on December 12, 1997, the Secretary of  
18 Agriculture extended those restrictions to include all  
19 countries in Europe because of concerns about wide-  
20 spread risk factors and inadequate surveillance for  
21 bovine spongiform encephalopathy;

22 (22) on December 7, 2000, the Secretary of Ag-  
23 riculture prohibited all imports of rendered animal  
24 protein products from Europe;

1           (23) Creutzfeldt-Jacob disease is a human  
2           spongiform encephalopathy;

3           (24) on March 20, 1996, the Spongiform  
4           Encephalopathy Advisory Committee of the United  
5           Kingdom announced the identification of 10 cases of  
6           a new variant of Creutzfeldt-Jacob disease;

7           (25) all 10 patients developed onsets of the dis-  
8           ease in 1994 or 1995;

9           (26) scientific experts (including scientists at  
10          the Department of Agriculture, the Department of  
11          Health and Human Services, and the World Health  
12          Organization) are studying the possible link (includ-  
13          ing potential routes of transmission) between bovine  
14          spongiform encephalopathy and variant Creutzfeldt-  
15          Jacob disease;

16          (27) from October 1996 to December 2000, 87  
17          cases of variant Creutzfeldt-Jacob disease have been  
18          reported in the United Kingdom, 3 cases in France,  
19          and 1 case in Ireland; and

20          (28) to reduce the risk of human spongiform  
21          encephalopathies in the United States, the Commis-  
22          sioner of Food and Drugs has—

23                 (A) banned individuals who lived in Great  
24                 Britain for at least 180 days since 1980 from  
25                 donating blood in the United States; and

1 (B) established regulations that prohibit  
2 the feeding of most animal-derived proteins to  
3 grazing animals.

4 (b) PURPOSE.—The purpose of this Act is to provide  
5 the people of the United States and Congress with infor-  
6 mation concerning—

7 (1) actions by Federal agencies to prevent foot  
8 and mouth disease, bovine spongiform  
9 encephalopathy, and related diseases;

10 (2) the sufficiency of legislative authority to  
11 prevent or control foot and mouth disease, bovine  
12 spongiform encephalopathy, and related diseases in  
13 the United States;

14 (3) the economic impacts associated with the  
15 potential introduction of foot and mouth disease, bo-  
16 vine spongiform encephalopathy, and related dis-  
17 eases into the United States; and

18 (4) the risks to public health from possible links  
19 between bovine spongiform encephalopathy and  
20 other spongiform encephalopathies to human ill-  
21 nesses.

22 **SEC. 3. REPORT TO CONGRESS.**

23 (a) PRELIMINARY REPORT.—

24 (1) IN GENERAL.—Not later than 30 days after  
25 the date of enactment of this Act, the Secretary of

1 Agriculture shall submit to the Committees and Sub-  
2 committees described in paragraph (2) a preliminary  
3 report concerning—

4 (A) coordinated interagency activities to  
5 assess, prevent, and control the spread of foot  
6 and mouth disease and bovine spongiform  
7 encephalopathy in the United States;

8 (B) sources of information from the Fed-  
9 eral Government available to the public on foot  
10 and mouth disease and bovine spongiform  
11 encephalopathy; and

12 (C) any immediate needs for additional  
13 legislative authority, appropriations, or product  
14 bans to prevent the introduction of foot and  
15 mouth disease or bovine spongiform  
16 encephalopathy into the United States.

17 (2) SUBMISSION OF REPORT TO CONGRESS.—

18 The Secretary shall submit the preliminary report  
19 to—

20 (A) the Committee on Agriculture of the  
21 House of Representatives;

22 (B) the Committee on Agriculture, Nutri-  
23 tion, and Forestry of the Senate;

24 (C) the Subcommittee on Agriculture,  
25 Rural Development, and Related Agencies of



1 the Committee on Appropriations of the Senate;  
2 and

3 (D) the Subcommittee on Agriculture,  
4 Rural Development, Food and Drug Adminis-  
5 tration, and Related Agencies of the Committee  
6 on Appropriations of the House of Representa-  
7 tives.

8 (b) FINAL REPORT.—

9 (1) IN GENERAL.—Not later than 180 days  
10 after the date of enactment of this Act, the Sec-  
11 retary of Agriculture shall submit to the Committees  
12 and Subcommittees described in subsection (a)(2) a  
13 final report that—

14 (A) discusses the economic impacts associ-  
15 ated with the potential introduction of foot and  
16 mouth disease, bovine spongiform  
17 encephalopathy, and related diseases into the  
18 United States;

19 (B) discusses the potential risks to public  
20 and animal health from foot and mouth disease,  
21 bovine spongiform encephalopathy, and related  
22 diseases; and

23 (C) provides recommendations to protect  
24 the health of animal herds and citizens of the  
25 United States from those risks including, if nec-

1           essary, recommendations for additional legisla-  
2           tion, appropriations, or product bans.

3           (2) CONTENTS.—The report shall contain—

4                 (A) an assessment of the risks to the pub-  
5           lic presented by the potential presence of foot  
6           and mouth disease, bovine spongiform  
7           encephalopathy, and related diseases in domes-  
8           tic and imported livestock, livestock and animal  
9           products, wildlife, and blood products;

10                (B) recommendations to reduce and man-  
11           age the risks of foot and mouth disease, bovine  
12           spongiform encephalopathy, and related dis-  
13           eases;

14                (C) any plans of the Secretary to identify,  
15           prevent, and control foot and mouth disease,  
16           bovine spongiform encephalopathy, and related  
17           diseases in domestic and imported livestock,  
18           livestock products, wildlife, and blood products;

19                (D) a description of the incidence and  
20           prevalence of foot and mouth disease, bovine  
21           spongiform encephalopathy, variant Creutzfeldt-  
22           Jacob disease, and related diseases in other  
23           countries;

24                (E) a description and an analysis of the ef-  
25           fectiveness of the measures taken to assess, pre-

1 vent, and control the risks of foot and mouth  
2 disease, bovine spongiform encephalopathy, var-  
3 iant Creutzfeldt-Jacob disease, and related dis-  
4 eases in other countries;

5 (F) a description and an analysis of the ef-  
6 fectiveness of the measures that the public, pri-  
7 vate, and nonprofit sectors have taken to as-  
8 sess, prevent, and control the risk of foot and  
9 mouth disease, bovine spongiform  
10 encephalopathy, and related diseases in the  
11 United States, including controls of ports of  
12 entry and other conveyances;

13 (G) a description of the measures taken to  
14 prevent and control the risk of bovine  
15 spongiform encephalopathy and variant  
16 Creutzfeldt-Jacob disease transmission through  
17 blood collection and transfusion;

18 (H) a description of any measures (includ-  
19 ing any planning or managerial initiatives such  
20 as interagency, intergovernmental, inter-  
21 national, and public-private sector partnerships)  
22 that any Federal agency plans to initiate or  
23 continue to assess, prevent, and control the  
24 spread of foot and mouth disease, bovine  
25 spongiform encephalopathy, variant Creutzfeldt-

Jacob disease, and related diseases in the United States and other countries;

(I) plans by Federal agencies (including the Centers for Disease Control and Prevention)—

(i) to monitor the incidence and prevalence of the transmission of foot and mouth disease, bovine spongiform encephalopathy, variant Creutzfeldt-Jacob disease, and related diseases in the United States; and

(ii) to assess the effectiveness of efforts to prevent and control the spread of foot and mouth disease, bovine spongiform encephalopathy, variant Creutzfeldt-Jacob disease, and related diseases in the United States;

(J) plans by Federal agencies (including the Agricultural Research Service, the Cooperative State Research, Education, and Extension Service, and the National Institutes of Health) to carry out, in partnership with the private sector—

(i) research programs into the causes and mechanism of transmission of foot and

1 mouth disease and bovine spongiform  
2 encephalopathy; and

3 (ii) diagnostic tools and preventive  
4 and therapeutic agents for foot and mouth  
5 disease, bovine spongiform encephalopathy,  
6 variant Creutzfeldt-Jacob disease, and re-  
7 lated diseases;

8 (K) plans for providing appropriate com-  
9 pensation for affected animals in the event of  
10 the introduction of foot and mouth disease, bo-  
11 vine spongiform encephalopathy, or related dis-  
12 eases into the United States; and

13 (L) recommendations to Congress for legis-  
14 lation that will improve efforts to assess, pre-  
15 vent, or control the transmission of foot and  
16 mouth disease, bovine spongiform  
17 encephalopathy, variant Creutzfeldt-Jacob dis-  
18 ease, and related diseases in the United States  
19 and in other countries.

20 (c) CONSULTATION.—

21 (1) PRELIMINARY REPORT.—In preparing the  
22 preliminary report under subsection (a), the Sec-  
23 retary shall consult with—

24 (A) the Secretary of the Treasury

25 (B) the Secretary of Commerce;

1 (C) the Secretary of State;

2 (D) the Secretary of Health and Human  
3 Services;

4 (E) the Secretary of Defense;

5 (F) the United States Trade Representa-  
6 tive;

7 (G) the Director of the Federal Emergency  
8 Management Agency; and

9 (H) representatives of other appropriate  
10 Federal agencies;

11 (2) FINAL REPORT.—In preparing the final re-  
12 port under subsection (b), the Secretary shall con-  
13 sult with—

14 (A) the individuals listed in paragraph (1);

15 (B) private and nonprofit sector experts in  
16 infectious disease, research, prevention, and  
17 control;

18 (C) international, State, and local govern-  
19 mental animal health officials;

20 (D) private, nonprofit, and public sector  
21 livestock experts;

22 (E) representatives of blood collection and  
23 distribution entities; and

1 (F) representatives of consumer and pa-  
 2 tient organizations and other interested mem-  
 3 bers of the public.

Passed the Senate April 5, 2001.

Attest:

*Secretary.*





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1ST SESSION

# **S. 700**

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## **AN ACT**

To establish a Federal interagency task force for the purpose of coordinating actions to prevent the outbreak of bovine spongiform encephalopathy (commonly known as “mad cow disease”) and foot-and-mouth disease in the United States.